

REMARKS

In accordance with the foregoing, claims 1, 9, 14, 17 and 18 have been amended. Claims 1-18 are pending and under consideration.

In items 1 and 2, the Examiner raises objections to the claims. The Examiner's concise suggestions are appreciated. The claims have been amended to address the objections.

In item 3, claims 1, 2 and 4-6 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,784,438 to Martinez.

Martinez discloses a callback method in which a caller, when the call subscriber cannot be reached, a callback routine can be activated by inputting a special feature code. The method according to Martinez differs from that claimed in claim 1 in that with Martinez, the user cannot decide that automatic callback should take place. In Martinez, callback is only possible if the called subscriber is not reachable. The claims have been amended to emphasize this point.

Independent claim 1 recites allowing a user to determine whether the central control unit will activate a callback module, by allowing the user enter a predetermined key combination. Independent claim 9 is similar, reciting the central control unit allowing a user to determine whether to activate the callback module, by allowing the user to enter a predetermined key combination during setup. Antecedent basis for the above changes to claims 1 and 9 can be found in Fig. 2 and paragraphs 24 and 25 of the application.

Independent claim 14 has been amended to recite entering a limited-purpose, automatic callback telephone number on said local communication facility. Antecedent basis for this claim change can be found in Fig. 2 and paragraphs 21-25 of the application. From the decision tree shown in Fig. 2, it should be clear that the telephone number that activates the function is a limited purpose, automatic callback telephone number.

In Martinez, the user is not able to determine whether the central control unit will activate the callback module. The telephone number entered by the user is a general purpose voice telephone number, which may possibly result in an automatic callback function.

In addition to the above, it should be noted that the method and system run during setup, before a connection is established between a local communication facility and a central communication facility, and this may allow the user to avoid fees.

In item 4, claims 1, 2, 3, 8, 9 and 14 are rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 6,307,928 to Yamasaki.

As described above, the invention allows the caller himself to decide whether automatic callback takes place, either by entering a predetermined key combination during setup or by entering a limited purpose, automatic callback telephone number. In Yamasaki, the possibility does not exist for a caller himself to decide whether a callback takes place. Yamasaki only discloses that a callback is performed when the calling terminal permits this. See column 17, lines 63-65. According to column 13, lines 63-69 of Yamasaki, a prior authorization by a maintenance operator at a maintenance terminal is required.

In Yamasaki, the caller selects the number of the person to be called. An activation of the callback module takes place only when the calling terminal is so authorized. Column 9, lines 49-52 describes that the called terminal determining section determines whether the called terminal is a terminal allowed to use the callback control. The calling terminal determining section determines whether the calling terminal is a terminal allowed the callback control. In Yamasaki, an activation of the callback module takes place only when the calling terminal is so authorized, i.e., a determination independent of the input calling number. In Yamasaki there is no suggestion that a callback is to be carried out by a special key combination. For this reason, the rejection should be withdrawn.

In item 5, claims 1, 2, 4, 5, 7, 9-11 and 14-17 are rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,311,574 to Livanos. The Examiner cites column 4, lines 27-30 for the claim limitations directed to terminating setup of the connection without making the connection. This portion of the reference discloses that the calling party is prompted (via a message displayed at the ISDN terminal) for whether or not the calling party wishes to be placed in a queue and called back when an agent is available. If the calling party accepts, an entry is made in a queue, and the call is disconnected. When an agent becomes available, the call is returned.

In Livanos, the connection is terminated after the connection is made. The Examiner is referred to column 4, lines 4-5 which indicates that in most automatic call distribution (ACD) systems, the business using the ACD pays for a call connected to the ACD while the calling party is on hold. Livanos reduces this problem with the callback feature. The callback feature limits the time a customer is on hold. Livanos does not stop the connection from being made. In fact, column 4, lines 29 and 30 state "the call is disconnected." It is not understood why the Examiner is continuing to rely on this reference. However, it does not suggest terminating setup of a connection without making the connection. Livanos cannot achieve the potential benefit of having fees accrued neither at the local communication facility nor the central

communication facility.

In addition, the callback feature in Livanos is used by the central communication facility based on a previously calculated waiting time for the caller, and the callback feature is initialized if that is agreed to. Without the previously calculated waiting time, there is no callback feature. With the present invention, the user is allowed to determine whether the central control unit will activate a callback module. For these reasons, the rejection should be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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